

ROANNE L. MANN
UNITED STATES MAGISTRATE JUDGE

DATE: 6/3/11
START: 1:05 pm
END: 2:05 pm

DOCKET NO: 10 cv 2618

CASE: Kosher Sports v QBC

INITIAL CONFERENCE
 DISCOVERY CONFERENCE
 SETTLEMENT CONFERENCE

OTHER/ORDER TO SHOW CAUSE
 FINAL/PRETRIAL CONFERENCE
 TELEPHONE CONFERENCE

FOR PLAINTIFF: La Tokayer (recorded)

FOR DEFENDANT: Avery Mehlman & Jon Adler

non-party defendant: Kevin Brennan (first part of call only)

DISCOVERY TO BE COMPLETED BY _____

NEXT _____ CONFERENCE SCHEDULED FOR _____

JOINT PRE-TRIAL ORDER TO BE FILED VIA ECF BY _____

PL. TO SERVE DEF. BY: _____ DEF. TO SERVE PL. BY: _____

RULINGS: PLEASE TYPE THE FOLLOWING ON DOCKET SHEET

The Court denies the request of third-party Aramark, ^(DE#68) to either require that the parties rely on deposition testimony in lieu of live testimony of Aramark witnesses at Tuesday's evidentiary hearing or adjourn the hearing. Instead, to accommodate the Aramark witnesses' schedules, the Court will commence the hearing at 9:00 a.m. on June 7, 2011, will take the testimony of Messrs. Funk and Kleckner out of turn (at 10:00 a.m. and 1:00 p.m., respectively), and will defer Mr. Grey's testimony, if it is

required, to Friday, June 10.

The Court defers ruling on defendants' motion for a preclusion order or other sanctions (DE # 64). Plaintiff shall, on pain of preclusion, furnish the Court and defense counsel, by 4:00 p.m. today, copies of the surreptitiously recorded conversations that plaintiff has withheld from discovery production, along with all transcripts of any portions of those conversations. Defendants shall furnish the Court with the full transcript of the discovery hearing on March 29, 2011, and counsel shall forward to the Court, as soon as they are available, copies of the deposition transcripts of Messrs. Katz, Fink and Kleckner.

Plaintiff's written response to defendants' motion for sanctions must be filed by 11:00 a.m. on June 6, 2011.